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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
|---|-------------|----------------------|-------------------------|------------------------|
| 10/566,705  | 02/01/2006  | Akira Ichikawa       | Q92872                  | 8042                   |
| 65565 7590 07/12/2007<br>SUGHRUE-265550<br>2100 PENNSYLVANIA AVE. NW<br>WASHINGTON, DC 20037-3213 |             |                      | EXAMINER<br>KIM, EUNHEE |                        |
|   |             |                      | ART UNIT<br>2123        | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>07/12/2007 | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/566,705

Applicant(s)

ICHIKAWA ET AL.

Examiner

Eunhee Kim

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04/11/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02/01/2006, 01/09/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The amendment filed 04/11/2007 has been received and considered. Claims 1-9 are presented for examination.

#### ***Response to Applicant's Remarks & Examiner's Withdrawals***

2. Examiner respectfully withdraws Claim Rejections - 35 USC § 101 in view of the amendment and/or applicant's arguments.
3. Examiner respectfully withdraws Claim Rejections - 35 USC § 112 in view of the amendment and/or applicant's arguments.

#### ***Information Disclosure Statement***

4. The information disclosure statement filed 02/01/2006 and 1/9/2007 is being considered by the examiner. However, the references 08-240338 has not been considered because the English translation was not submitted and is not cited in the international search report.

#### ***Claim Objections***

5. Claims 1 is objected to because of the following informalities:  
The phrase "design rule" in line 6 would be better as "a design rule".  
Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being anticipated by Li (US Patent No. 6,915,252).

Li teaches (Claims 1, 3, and 5) an automated design method and system (Col. 1 lines 7-10, Col. 4 line 45) for performing automated design of a product using design requirement particulars required with respect to the product targeted for the automated design (Col. 1 lines 14-43), designer discretion particulars by discretion of a designer with respect to design of the product (Col. 10 lines 45-61) and a design rule necessary for the design of the product (Col. 4 lines 46-62 ),

automated design means (Col. 4 lines 44-45 ) for performing automated design using design requirement particulars with respect to a design of the product required by a customer or a designer (Col. 1 lines 14-43), designer discretion particulars by discretion of the designer with respect to the design of the product (Col. 10 lines 45-61), and the design rule necessary with respect to the design of the product (Col. 4 lines 44-61, Col. 10 lines 45-61, Col. 11 lines 18-55),

determination rule input means for inputting a determination rule including a rule, which is to be satisfied by design of the product in the case of manufacturing the product, and in addition to the requirement particulars, the designer particulars and the design rule (Col. 4 lines 45-61, Col. 7 lines 42-61, Col. 9 lines 15-40),

determination rule storage means for storing the determination rule (Col. 4 lines 45-61),

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and

design result determination means for determining whether a design result obtained by the automated design means satisfies the determination rule stored in the determination rule storage means (Col. 4 lines 45-61, Col. 5 lines 50-67, Col. 6 lines 50-67, Col. 7 lines 42-61, Col. 9 lines 15-40, Col. 11 lines 18-55); and

(Claims 2, 4, and 6) determination result storage means for storing a determination result obtained by the design result determination means, and

the design rule stored in the design rule storage means is updated by reflecting the determination result (Abstract, Col. 9 lines 30-40, Col. 11 lines 35-55, Col. 13 lines 50-65).

(Claims 7-9) wherein the determination rule is based on at least one of technical condition or operational state and schedule rules of a producer, a factory, a line and equipment, component inventory cooperation rules, purchase component selection rules, environmental control-capable rules, and illegal export prevention rules (Abstract, Col. 6 lines 50-67, Col. 11 lines 19-55).

### ***Response to Arguments***

8. Applicant's arguments filed 04/11/2007 have been fully considered but they are not persuasive.

Applicants have argued Li does not teach a design result determination means for means for determining whether a design result obtained by the automated design means satisfies the determination rule, which is to be satisfied by design of the product in the case of manufacturing the product, and in addition to the requirement particulars, the designer particulars and the design

rule, and verification tool which verifies if a design meets rules that are in addition to design rules. The examiner disagrees because Li teaches global design rule definition file which defines the relationship between a global variable that is corresponding to design requirement particulars (Col 5 lines 50-60), and a design rule (Col. 11 lines 19-55), and physical design which is designer's work on a design that is corresponding to designer discretion particulars (Col. 10 lines 46-55). Also Li teaches a verification tool (Col 4 lines 53-54, Col. 7 lines 52-54) to verify if a physical design meets each of the drc design rules.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

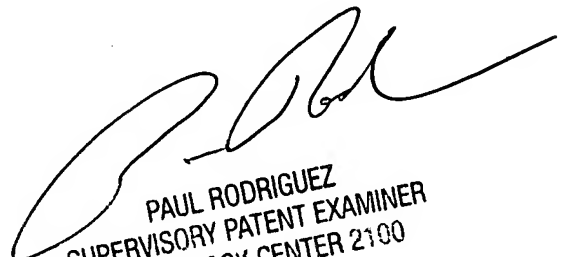
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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eunhee Kim whose telephone number is 571-272-2164. The examiner can normally be reached on 8:30am-5:00pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EK



PAUL RODRIGUEZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100